

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

**ADVISORY COMMITTEE AND TRUSTEES  
OF THE KING'S COMMAND FOODS, INC.  
401(k) PROFIT SHARING PLAN AND  
TRUST,**

NO. C05-1124L

**STIPULATED PRELIMINARY  
INJUNCTION ORDER**

**Plaintiff,**

V.

SHARON BETZING, individually, and  
EDWARD JONES COMPANY, as custodian of  
an account held for Sharon Betzing,

### Defendants.

## **STIPULATION**

Counsel for plaintiff The Advisory Committee and Trustees of the King's Command Foods, Inc. 401(k) Profit Sharing Plan and Trust ("Plaintiff") and defendants Sharon Betzing and Edward Jones Company (collectively, "Defendants"), hereby stipulate that the following order may be entered.

**STIPULATED PRELIMINARY INJUNCTION ORDER  
(NO. C05-1124L)- 1**  
[58435-0001-000000/~2874128.DOC]

**Perkins Coie LLP**  
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2 **PERKINS COIE LLP**  
3  
4

5 By \_\_\_\_\_  
6 Donald W. Heyrich, WSBA # #23091  
7 Branda N. Andrade, WSBA #30653  
8 Attorneys for Plaintiff Advisory Committee  
9 and Trustees of the King's Command Foods,  
10 Inc. 401(k) Profit Sharing Plan and Trust  
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12

**OPTON & GALTON**

By \_\_\_\_\_  
Michael Gangle, WSBA #27903  
Attorneys for Defendant Sharon Betzing

**HILLIS CLARK MARTIN & PETERSON,  
P.S.**

By \_\_\_\_\_  
Eric D. Lansverk, WSBA #17218  
Joseph A.G. Sakay, WSBA #24667  
Attorneys for Defendant Edward Jones Company

24  
25 **ORDER**  
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28 This matter comes before the Court on the stipulation of all parties. For purposes of  
29 determining whether a preliminary injunction should issue and only for such purposes, the  
30 parties have stipulated that:  
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32 1. Plaintiff has shown a likelihood of success on the merits and the possibility of  
33 irreparable harm if a preliminary injunction prohibiting Defendants from disbursing,  
34 liquidating, removing or otherwise disposing of the assets that are the subject of the action  
35 does not issue.  
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38 2. There is good cause for issuing this Order pursuant to Federal Rule of Civil  
39 Procedure 65(b).  
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42 3. The balance of hardships weighs in favor of Plaintiff.  
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45 For these reasons, the Court hereby ORDERS that:  
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STIPULATED PRELIMINARY INJUNCTION ORDER  
(NO. C05-1124L)-2  
[58435-0001-000000/~2874128.DOC]

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1. Plaintiffs' motion for preliminary injunction is GRANTED.

2. Defendants shall not disburse, liquidate, remove or otherwise dispose of any of the assets that are the subject of the action and that are maintained in account number XXX-X2987 by Edward Jones Company for the benefit of Sharon Betzing.

3. The \$5,000 bond that Plaintiff posted with the Court after entry of the June 24, 2005, Temporary Restraining Order; Order Noting Motion for Preliminary Injunction in this proceeding is sufficient, and shall remain posted pending further order of the Court.

4. This Order shall remain in effect until the trial on the merits or further order of the Court.

5. In view of the foregoing, the Clerk is directed to strike the July 11, 2005, hearing date on Plaintiff's motion for preliminary injunction and on the show cause return for the Temporary Restraining Order; Order Noting Motion for Preliminary Injunction entered June 24, 2005.

Dated this 18<sup>th</sup> day of July, 2005.

Mrs Lasnik  
Robert S. Lasnik  
United States District Judge

1 Presented by:  
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4 **PERKINS COIE LLP**  
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7 By \_\_\_\_\_  
8 Donald W. Heyrich, WSBA #23091  
9 Branda N. Andrade, WSBA #30653  
10

11 Attorneys for Plaintiff Advisory Committee and  
12 Trustees of the King's Command Foods, Inc.  
13

14 401(k) Profit Sharing Plan and Trust  
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19 Stipulated to, with notice of presentation waived:  
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23 **OPTON & GALTON**  
24  
25

26 By \_\_\_\_\_  
27 Michael Gangle, WSBA #27903  
28 Attorneys for Defendant Sharon Betzing  
29  
30

31 and  
32

33 **HILLIS CLARK MARTIN & PETERSON, P.S.**  
34  
35

36 By \_\_\_\_\_  
37 Eric D. Lansverk, WSBA #17218  
38 Joseph A.G. Sakay, WSBA #24667  
39 Attorneys for Defendant Edward Jones Company  
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